REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 16, 2008 has been received and its contents carefully reviewed.

Claims 1, 6, 7, 8, 10 and 14 are hereby amended. Claims 5, 9, 13 and 18 are hereby canceled. No claims are added. Accordingly, claims 1-4, 6-8, 10-12, and 14-17 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Applicants respectfully thank the Examiner for indicating that claims 15 and 17 are objected to as being dependent upon a rejected base claim and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 5, 14 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee et al. (A New Control Protocol For Home Appliances - LnCP -2001) (hereinafter "*Lee*") in view of U.S. Publication No. 20040088731 to Putterman et al. (hereinafter "*Putterman*"). Office Action at p. 3, ¶ 4. The rejection of claims 5 and 18 is moot as claims 5 and 18 are canceled herein. Applicants respectfully traverse the rejection and request reconsideration.

Independent claim 1 is allowable over *Lee* in view of *Putterman* in that claim 1 recites a combination of elements including, for example, a home network system, comprising "an argument field extendable according to a version of a protocol applied to one electric device for performing the operation." Similarly, independent claim 14 is allowable over *Lee* in view of *Putterman* in that claim 14 recites a combination of elements including, for example, a storage means for storing a message structure in a home network system, the home network system including an "an argument field ... wherein the argument field is extendable according to a version of a protocol applied to the electric device." The Office admits that "Lee et al. does not disclose the argument field is according to a version of a protocol applied to the electric device performing the operation." *Office Action* at p. 3. Thus, *Lee* does not teach the features of claims 1 and 14.

Applicants respectfully assert that *Putterman* fails to cure the deficiencies of *Lee*. *Putterman* discloses an RPC mechanism supported by the proprietary protocol that uses a packet

based protocol. *See Putterman* at ¶ [0048], lines 1-3. *Putterman* teaches that "the services include ... an identification number to permit a device on the home network to construct RPC based packets with the appropriate arguments." *Putterman* at ¶ [0048], lines 3-5. *Putterman* is entirely silent as to any description, express or inherent, concerning whether the "argument field [is] extendable according to a version of a protocol," as recited in the claims.

The Office purports that *Putterman* discloses an "identification field that identifies the request which is the same as the argument field." *Office Action* at p. 4. Even if *Putterman's* identification field could be construed as Applicants' claimed argument field, which it is not, *Putterman's* identification field is not "extendable according to a version of a protocol," as recited in the claims. *Putterman* teaches that the identification contained in the packets' header merely identifies if the packet is a request or a response corresponding to a request. *See Putterman* at ¶ [0028], lines 12-14. *Putterman* also teaches that after the header the RPC protocol format specifies data, where the data includes arguments for the requests and return values for the responses. In other words, *Putterman* only discloses the contents within the packet and is entirely silent as to any description, express or inherent, concerning whether the "argument field [is] extendable according to a version of a protocol," as recited in the claims. Accordingly, none of the cited references, singly or in combination, teaches or suggests "an argument field extendable according to a version of a protocol applied to one electric device for performing the operation." as recited in independent claim 1 or "an argument field ... wherein the argument field is extendable according to a version of a protocol applied to the electric device," as recited in independent claim 14.

For at least these reasons, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claims 1 and 14.

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lee* in view of *Putterman* as applied to claim 14 above, and further in view of U.S. Patent No. 5,519,858 to Walton et al. (hereinafter "*Walton*"). Office Action at p. 5, ¶ 5. Applicants respectfully traverse this rejection and request reconsideration.

Walton fails to cure the deficiencies of *Lee* and *Putterman*. *Walton* discloses an argument length field which indicates the number of digits in the address portion of a request. *See Walton* at col. 12, lines 19-20. *Walton* teaches that "an argument length field ... [comprises]

6 bits". In other words, the argument length filed is fixed at 6 bits. *Walton* at col. 12, lines 12-13. There is absolutely no teaching or suggestion in *Walton* of "an argument field ... wherein the argument field is extendable according to a version of a protocol applied to the electric device," as recited in independent claim 14. Thus, *Walton* does not teach or suggest the features of claim 16, which depends from claim 14.

Indeed, the Office only relied on *Walton* to disclose "when a lower version of the protocol applied to the electric device exist, the argument field comprises a basic argument field for the lower version of the ... protocol and an extend argument field for the version of protocol." Office Action at page 5, ¶ 5. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 14, they also fail to teach or suggest each and every element of claim 16, which depends from claim 14. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claim 16.

Claims 2-4 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Lee* in view *Putterman* and in view of U.S. Patent No. 7,062,531 to Kim (hereinafter "*Kim*"). Office Action at p. 6, ¶ 6. Applicants respectfully traverse this rejection and request reconsideration.

Kim fails to cure the deficiencies of *Lee* and *Putterman*. *Kim* teaches "a method for generating a house code (HC) provided to each household to divide the households in a home network." *Kim* at col. 1, lines 12-15. There is absolutely no teaching or suggestion in *Kim* that "an argument field extendable according to a version of a protocol applied to one electric device for performing the operation," as recited in independent claim 1. Thus, *Kim* does not teach or suggest the features of claims 2-4, which depend from claim 1.

Indeed, the Office only relied on *Kim* to disclose "that the other electric device receives the message, extracts the arguments from the argument field and processes the arguments." Office Action at page 6, ¶ 6. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 1, they also fail to teach or suggest each and every element of claims 2-4, which depend from claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 2-4.

Claims 6-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Lee* in view *Putterman* and in view of *Kim*. Office Action at p. 7, ¶ 7. The rejection of claims 9 and 13 is moot as claims 9 and 13 are canceled herein. Applicants respectfully traverse the rejection and request reconsideration.

Independent claim 6 is allowable over *Lee* in view of *Putterman* and *Kim* in that claim 6 recites a combination of elements including, for example, An electric device based on a predetermined protocol comprising "an argument field extendable according to a version of a protocol applied to the electric device for performing the operation." Similarly, independent claim 10 is allowable over *Lee* in view of *Putterman* and in view of *Kim* in that claim 10 recites a combination of elements including, for example, a message including ... "an argument field extendable according to a version of a protocol applied to one electric device for performing the operation." The Office admits that *Lee* "does not disclose the argument field is according to a version of a protocol applied to the electric device performing the operation." *Office Action* at p. 8. Thus, *Lee* does not teach the features of claims 6 and 10.

Applicants respectfully assert that *Putterman* fails to cure the deficiencies of *Lee*. *Putterman* discloses an RPC mechanism supported by the proprietary protocol that uses a packet based protocol. *See Putterman* at ¶ [0048], lines 1-3. *Putterman* teaches that "the services include ... an identification number to permit a device on the home network to construct RPC based packets with the appropriate arguments." *Putterman* at ¶ [0048], lines 3-5. *Putterman* is entirely silent as to any description, express or inherent, concerning whether the "argument field [is] extendable according to a version of a protocol," as recited in the claims.

The Office purports that *Putterman* discloses an "identification field that identifies the request which is the same as the argument field." *Office Action* at p. 8. Even if *Putterman's* identification field could be construed as Applicants' claimed argument field, which it cannot, *Putterman's* identification field is not "extendable according to a version of a protocol," as recited in the claims. *Putterman* teaches that the identification contained in the packets' header merely identifies if the packet is a request or a response corresponding to a request. *See Putterman* at ¶ [0028], lines 12-14. *Putterman* also teaches that after the header the RPC protocol format specifies data, where the data includes arguments for the requests and return values for the responses. In other words, *Putterman* only discloses the contents within the packet

and is entirely silent as to any description, express or inherent, concerning whether the "argument field [is] extendable according to a version of a protocol," as recited in the claims.

Applicants respectfully assert that *Kim* fails to cure the deficiencies of *Lee* and *Putterman.* *Kim* teaches "a method for generating a house code (HC) provided to each household to divide the households in a home network." *Kim* at col. 1, lines 12-15. There is absolutely no teaching or suggestion in *Kim* that "an argument field extendable according to a version of a protocol applied to the electric device for performing the operation," as recited in independent claim 6 or "an argument field extendable according to a version of a protocol applied to one electric device for performing the operation," as recited in claim 10.

Indeed, the Office only relied on *Kim* to disclose "that the other electric device receives the message, extracts the arguments from the argument field and processes the arguments." Office Action at page 8. Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claims 6 and 10, they also fail to teach or suggest each and every element of claims 7 and 8, which depend from claim 6 and claims 11 and 12, which depend from claim 10. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 6-8 and 10-12.

CONCLUSION

The application is in condition for allowance. Early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the

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filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: October 15, 2008   Respectfully submitted,

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